

Poy, Thomas

From: Hollingsworth, Mary <MHolling@idem.IN.gov>
Sent: Thursday, January 05, 2017 11:51 AM
To: Poy, Thomas
Cc: CLARK METTLER, MARTHA; Higginbotham, Paul; Stacy Jones; Matt Prater
Subject: EPA's response to Senator Donnelly

Follow Up Flag: Follow up
Flag Status: Flagged

Tom,

In EPA's response to Senator Donnelly, EPA misrepresents the drinking water issues beginning on the third and fourth paragraphs on Page 3. IDEM wants to make certain that this misinformation is communicated to you.

The pilot study measured lead levels in every individual liter of water from the first two 125-ml samples at the tap through the entirety of the interior plumbing in the home, through the service line, to the "fresh" water in the water main in front of the residence. None of these samples were collected in accordance with the lead and copper rule, which measures a 1-liter first draw sample (only getting the sample tap and the first liter of water from the interior plumbing). The 15 ppb action level mentioned in the letter relates to the lead and copper testing of 1-liter first draw tap samples and allows for 10% of those in a community (in the case of East Chicago, 30 samples are required to be tested under the rule with at least half of those being collected at homes served by lead service lines to be above that action level. So, results above the action level in the service line samples (which were and are **not** required by the lead and copper rule) does **not** indicate an issue with East Chicago's compliance with the lead and copper rule or IDEM's implementation and oversight of the lead and copper rule. It may however indicate ~~but~~ an issue with EPA's lead and copper rule in that it does not adequately reflect the impact lead service lines or iron lines downstream of lead service connections may have on the overall quality of the water being consumed by residents served by lead service lines. Our understanding is that EPA is currently revising the lead and copper rule to more adequately reflect that risk. However, at this time, East Chicago is unquestionably in compliance with the current lead and copper rule. In sampling conducted in accordance with the EPA lead and copper rule during the summer of 2016, the lead 90th percentile in East Chicago was 8.4 ppb with zero samples above the lead action level.

In addition, even given unlimited amounts of orthophosphate being fed into the distribution system, there is no control over how much water is being used in any of the homes and therefore how much orthophosphate would be pulled into each home to coat the service lines and interior plumbing. East Chicago has been feeding an orthophosphate blend for many years and has increased their feed rate based on recent EPA recommendations. The areas where EPA was finding no orthophosphate residual are in dead-end lines near the railroad tracks, so there is stagnant water in the area that will allow the residual levels to dissipate – these same areas also had very low chlorine residual levels. If water is not being used in the homes, fresh water does not get pulled in from the water main. If the fresh water containing the orthophosphate is not being pulled into the service line it cannot protect the customer at the home from the potential of lead leaching from the service line.

It needs to be clear that IDEM asked East Chicago to increase orthophosphate levels in October 2016, because EPA made a recommendation to IDEM that there should be higher orthophosphate residuals in the Superfund site area. The city does **not** conduct their routine monthly testing for orthophosphate in the superfund site area, therefore EPA's orthophosphate results from the Superfund site area are not consistent with the levels on the city's monthly reports. The special Superfund study conducted by EPA found an isolated location in the distribution that had a low amount of orthophosphate residuals. East Chicago has increased their phosphate feed rate in order to see higher residuals in their entire distribution system.

The letter stated, "after EPA notified the city and IDEM about the elevated lead levels, the city boosted the amount of orthophosphate." This is **not** correct. IDEM requested the city to increase phosphate after EPA made a recommendation based on the low orthophosphate levels reported at the Superfund site in October. The monthly reports of operation, which are sent in monthly by the city and reviewed by IDEM staff never showed any results of "low or no" orthophosphate levels in the distribution as stated incorrectly in the letter.

I want to make one more statement to you and your relevant colleagues at EPA Region 5 concerning this matter and the way it was handled. IDEM was never contacted nor had any input before this "pilot project" was started. IDEM expressed to you and other members of Region 5 our concerns with this "pilot

project" on several different occasions. Additionally, IDEM was not contacted to coordinate on the response to Senator Donnelly and thus not afforded the opportunity to correct the above described misinformation before the letter was sent. Now once again, because of this letter, myself and my staff feel that EPA undermined us.

In conclusion, IDEM has always felt that working closely with EPA on drinking water issues is extremely important and we will continue to work with EPA, but because of the this situation and the way it was handled and is still being handled, our close working relationship has been compromised.

Mary E. Hollingsworth
Drinking Water Branch Chief
Office of Water Quality
Indiana Department of Environmental Management
IGCN 1201
100 North Senate Avenue
Indianapolis, IN 46204-2251
317-232-8741

